

THAILAND

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Oct 66	Royal Proclamation	12nm	
II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Sep 59	Decree		Historic bay claimed for the inner Gulf of Thailand along 12°35'45"N latitude.
	Jun 70	Prime Minister's Announcement		Straight baselines/internal waters specified; see LIS No. 31.
	Aug 92	Prime Minister's Announcement		Establishes additional straight baselines.
IV. CONTINENTAL SHELF	May 73	Proclamation		Delimitation in Gulf of Thailand as part of Thai continental shelf claim.
V. FISHING ZONE/EEZ	Feb 81	Royal Proclamation	200nm	EEZ Delimitation line overlaps with Malaysia's continental shelf.
VII. MARITIME BOUNDARIES	Mar 07	Agreement		Territorial sea boundary agreement with Cambodia (then under France) EIF.
	Jul 73 & Dec 78	Agreement		Continental shelf boundary agreement with Indonesia and Malaysia EIF; see LIS No. 93 established common point of maritime boundaries.
	Jul 72	Agreement		Continental shelf boundary agreement with Malaysia (Andaman Sea) EIF.
	Feb 78	Agreement		Continental shelf boundary agreement with Indonesia EIF; see LIS No. 93.
	Dec 78	Agreement		Continental shelf boundary agreement with India EIF; see LIS No. 93.
	Mar 79	Memorandum of Understanding		Tripoint agreements with India and Indonesia EIF; see LIS No. 93.
	Oct 79	Agreement		Agreement with Malaysia on the establishment of a Joint Authority for the exploitation of the resources of the seabed EIF.
	Apr 82	Agreement		Maritime boundary agreement with Burma EIF; see LIS No. 102.
	Jul 82	Agreement		Continental shelf boundary agreement with Malaysia (Gulf of Thailand) EIF; see LIS No. 81.
VIII. LOS CONVENTION	Dec 82			Signed.

b. DOMESTIC LEGISLATION AND REGULATIONS

1. STRAIGHT BASELINES AND HISTORIC WATERS

A. LEGISLATION. The following is an excerpt from an Announcement of the Office of the Prime Minister of Thailand concerning straight baselines and internal waters of Thailand Area 4, 17 August 1992, as set forth in Law of the Sea Bulletin, No. 25 (June 1994).

...

Whereas the Cabinet has deemed it appropriate to proclaim the straight baselines and internal waters of Thailand in another area, that is Area 4, pursuant to the generally accepted principles of international law, as follows:

1	Ko Kong Ok	9°36'06"	100°05'48"
2	Ko Kra	8°23'49"	100°44'13"
3	Ko Losin	7°19'54"	101°59'54"
4	Thai-Malaysian Boundary	6°14'30"	102°05'36"

Whereupon the waters within the aforementioned straight baselines are the internal waters of Thailand.

The following system of straight baselines is extracted from the Announcement of the Prime Minister of Thailand of 12 June 1970:

AREA NO. 1

1	LAEM LING	12° 12.3'	102° 16.7'
2	KO CHANG NOI	12° 09.6'	102° 14.9'
3	HIN RAP	12° 03.1'	102° 14.5'
4	HIN LUK BAT 11° 56.7'	102° 17.2'	
5	KO RANG	11° 46.6'	102° 23.2'
6	HIN BANG BAO	11° 35.8'	102° 32.0'
7	KO KUT	11° 33.6'	102° 35.7'
8	THAI - CAMBODIA BOUNDARY POST	--	--

AREA NO. 2

1	LAEM YAI	10° 53.7'	99° 31.4'
2	KO RAN KHAI	10° 47.8'	99° 32.6'
3	KO RAN PET 10° 46.5'	99° 32.2'	
4	KO KHAI	10° 41.8'	99° 24.8'
5	KO CHORAKHE	10° 33.6'	99° 25.2'
6	HIN LAK NGAM	10° 30.0'	99° 25.6'
7	KO TAO	10° 07.5'	99° 50.7'
8	HIN BAI	09° 56.6'	99° 59.7'
9	KO KONG THANSADET	09° 45.8'	100° 04.7'
10	KO PHANGAN	09° 49.0'	100° 05.2'
11	KO KONG OK	09° 36.1'	100° 05.8'
12	KO MAT LANG	09° 32.0'	100° 05.3'
13	KO SAMUI	09° 28.3'	100° 04.7'
14	HIN ANG WANG	09° 23.4'	100° 01.8'
15	KO RAP	09° 17.9'	99° 57.8'
16	LAEM NA THAM	09° 12.4'	99° 53.2'

AREA NO. 3			
1	KO PHUKET	07° 46.5'	98° 17.5'
2	KO KAE0 NOI	07° 43.9'	98° 18.0'
3	KO HI	07° 44.0'	98° 21.7'
4	KO MAI THON	07° 44.9'	98° 28.7'
5	KO KAI	07° 44.6'	98° 37.1'
6	KO BIDA NOK	07° 39.2'	98° 46.2'
7	KO MA	07° 36.6'	98° 52.1'
8	KO LANTA YAI	07° 27.8'	99° 06.0'
9	KO NGAI	07° 23.8'	99° 12.1'
10	KO KRADAN	07° 17.7'	99° 15.4'
11	KO KHWANG		07° 13.3' 99° 21.7'
12	KO BENG	07° 04.3'	99° 29.7'
13	HIN BAEWA	07° 03.7'	99° 24.0'
14	KO TULUI YAI	07° 00.9'	99° 26.8'
15	KO TA DAI	06° 58.8'	99° 28.7'
16	KO AYAM	06° 47.6'	99° 30.1'
17	HIN OSBON	06° 38.8'	99° 32.5'
18	KO TARUTAO	06° 30.2'	99° 39.1'
19	HIN BAI	06° 30.0'	99° 42.1'
20	KO KOI YAI	06° 33.9'	99° 50.7'
21	KO LIMA	06° 32.2'	99° 57.4'
22	KO KHUNING	06° 26.7'	100° 08.7'
23	KO PRASMANA	06° 25.4'	100° 05.2'
24	THAI-MALAYSIA BOUNDARY	--	--

Regarding the historic bay claim in the Bight of Thailand, an extract from the Decree of 1959 follows:

The Council of Ministers deems it proper to give notification reaffirming that the Bight of Thailand north of a base line from a point on Cape Ban Chong Samaeh San, latitude 12 degrees-35 minutes-45 seconds North, longitude 100 degrees-57 minutes-45 seconds East running West parallel to the latitude to a second point on the opposite seacoast, latitude 12 degrees-35 minutes-45 seconds North, longitude 99 degrees-57 minutes-30 seconds East is the historical gulf and that the waters to the north of the said base line are territorial waters of Thailand. Thailand has so held since time immemorial.

B. ANALYSIS The following comments regarding Thailand's straight baseline system are extracted from Limits in the Seas, No. 31, "Straight Baselines: Thailand," 24 March 1971:

Thailand claims a territorial sea of 12 nautical miles as provided by the Royal Proclamation of October 6, 1966. Thailand is a party to the Geneva Convention on the Territorial Sea and Contiguous Zone. The straight baselines have been plotted on "Chart shows (sic) straight baselines and internal waters," 1:1,340,000, published 1970.

The decrees create a historic bay closing line and three systems of straight baselines, two in the Gulf of Siam and one along the west coast of peninsular Thailand.

Points	Distance (n.m.)	Comments
1. Bight of Thailand		
A-B	59.15	Closes the Bight of Thailand as a historic bay.
2. <u>Area No. I</u>		
1 - 2	3.30	The line extends nearly southwestward from Laem Ling, a peninsula situated at a nearly 90° change in coastal direction, to Ko Char Noi, a small island northwest of Ko Chang.

2 - 3	6.25	Connect Chang Noi with Hin Rap (Hin Rai), a rock 2.4 nautical miles due west of Ko Chang. The line makes an angle of c. 18° to the general direction of Ko Chang.
3 - 4	6.95	Joins Hin Rap with Hin Luk Bat, a rock situated 2 n.m. west of the southwest point of Ko Chang. Segment parallels coast of Ko Chang.
4 - 5	11.75	Connects Hin Luk Bat with southwest cape of Ko Rang. Line extends generally parallel to the trend of the island group.
5 - 6	13.85	Joins Rang with Hin Bang Bao, a small rock offshore of Ko Kut. Line continues trend segments 3-4 and 4-5.
6 - 7	4.25	Connects Hin Bang Bao with Laem Thian, the south cape of Ko Kut, the second largest and southernmost island of the group.
7 - 8	19.65	Joins Ko Kut with the terminus of the Cambodia-Thailand land boundary. The islands covered by the straight baseline system screen over 80% of the mainland shore on the western side. It is estimated that the land/water ratio enclosed by the straight baselines is approximately 1:5.
Subtotal	66.00	
3. <u>Area No. II</u>		
1 - 2	5.90	Connects the mainland peninsula of Laem Yai with the island of Ko Ran Khai, at an angle of c. 30° to the general direction of the shoreline. Ran Kai is c. 4.4 nautical miles from the mainland.
2 - 3	1.20	Connects the adjacent island of Ko Ran Pet. Segment within 5° of the general direction of the mainland. Ko Ran Pet is 4.75 n.m. from mainland.
3 - 4	3.70	Trending towards the mainland at an angle of c. 32°, joins Ko Ran Pet with Ko Khi, situated approximately 1.25 n.m. from mainland.
4 - 5	8.35	Connects Ko Khai with Ko Chorakhe at an angle of c. 10° to the general direction of the coast. The reef to the west of the island extends to within 5.0 n.m. of the coast.
5 - 6	4.25	Trends away from the mainland at an

		angle of nearly 60°. In sector 1-6, approximately a dozen, small islands exist in 30 n.m. with no degree of continuous coverage of screening.
6 - 7	33.75	Joins Hin Lak Ngam, a small island, 9.0 n.m. from the mainland with Ko Tao's north cape. The island is significant in size (4.2 n.m. x 2.5 n.m.) but isolated (35 n.m. from the mainland.)
7 - 8	14.00	With the previous segment, continues same azimuth begun with segment 5-6. Joins Ko Tai with Hin Bai.
8 - 9	11.95	Joins Hin Bai with Kong Thansadet, a small rock east of Ko Phangan. The trend is c. 20° from the general trend of the mainland.
9 - 10	1.85	Connects the rock with Ko Phangan, the second largest island (c. 8 n.m. x 7 n.m.).
10 - 11	8.25	Joins Phangan with Ko Kong Ok, an islet northeast of Ko Samui following same general trend.
11 - 12	4.25	Connects Ko Kong Ok with Ko Kong Long, an island connected by a reef to Ko Samui. Follows general trend established before.
12 - 13	4.20	Joins to Cape, Laem Thong Lak, on Ko Samui.
13 - 14	5.45	Connects to Hin Ang Wang, a small island.
14 - 15	6.50	Continues on same general azimuth (c. 35° from the general direction of the coast) to connect with Ko Rap.
15 - 16	7.45	Rejoins mainland at (cape) Laem Kho Khao. The islands from point 9 southward mask over 2/3 of the mainland. To the north of point 9, the islands, in contrast, are scattered and insignificant in their masking.
Subtotal	126.05	

4. Area No. III

1 - 2	2.8	Connects island of Phuket, which is virtually a part of the mainland, with Ko Kaeo Noi, a small rock to the south. The straight baseline system from points 1-8 encloses a large bay-like body of water whose mouth measures c.51 n.m.
2 - 3	2.8	Connects Kaeo Noi with southwest point of Ko Hi, situated south of Phuket and c. 2.5 n.m. distant.
3 - 4	6.8	Connects Hi with Ko Mai Thon. Line segments leave Ko Racha Noi group seaward of the straight baseline system. Because of the position and size of these islands, the baseline segments 2-3, 3-4 and 4-5 do not affect the seaward delimitation of a 12 nautical mile territorial sea.
4 - 5	8.1	Joins Mai Thon with Ko Kai, a small island in the "mouth" of the "bay".
5 - 6	10.6	Connects Kai with Ko Bida Nok, an isolated rock c. 1 n.m. south of several major islands.
6 - 7	6.5	Joins Bida Nok with Ko Ma.
7 - 8	16.3	The longest segment on the west coast straight baseline closes the "bay" formed by Phuket and the mainland. The system leaves the Ko Harvai group seaward of the straight baselines. Because of these islands and the Racha Noi group, only the segments 1-2, 5-6 and 6-7 affect the seaward delimitation of the claimed territorial sea.
8 - 9	7.2	Segments 8-11 close a "bay-like" indentation of the mainland, the mouth of which measures c. 21 n.m. Connects south cape of Ko Lanta Yai with island of Ko Ngai.
9 - 10	6.9	Joins Ngai with island of Ko Kradan.
10 - 11	7.9	Connects Kradan with Ko Khwang, a small islet offshore of Ko Talibong, a major island. The system 8-11 encloses "bay" previously described leaving a major island group (Rokong) and an isolated islet (Hin Daeng) seaward of the straight baselines. Due to their location, the segments from No. 7-11 do not affect the seaward delimitation of the 12 n.m. claimed sea.
11 - 12	7.6	Joins Talibong with Ko Beng at an angle of c. 25° to the general direction of the coast.

12 - 13	0.7	The shortest segment connects Beng with Hin Baewa.
13 - 14	4.0	The straight baselines connect Hin Baewa with Ko Tului Yai and enclose an islet-studded water area.
14 - 15	3.1	Joins Tului Yai to Ko Ta Bai while paralleling the coast.
15 - 16	10.2	Connects Ta Bai with Ko Ayam while paralleling the general trend of the coast.
16 - 17	9.7	The remaining segments of the straight baseline system, Nos. 16-24, do not affect the seaward delimitation of the territorial sea due to the location of the Butan Group, a significant archipelago, situated seaward of the lines as well as the presence of a maritime boundary with Malaysia.
17 - 18	11.1	Connects Hin Osbon, an isolated rock, with Pyramid Point on Ko Tarutao.
18 - 19	3.0	Joins Tarutao with Hin Bai, c. 1.25 n.m. north of the Thai-Malaysia maritime boundary.
19 - 20	9.7	Parallels maritime boundary while joining Hin Bai with Ko Koi Yai.
20 - 21	6.7	Connects Koi Yai with Ko Lima, an islet c. 2.8 n.m. from the mainland and 3.25 from the maritime boundary.
21 - 22	8.4	Joins Lima with Ko Khuning.
22 - 23	2.2	Connects Khuning with Ko Prasmana.
23 - 24	1.7	Terminates the straight baseline system at the terminus of the Thai-Malaysia land boundary.
Subtotal	156.1	

Summary

The 1959 decree has declared a historic-bay closing line along the latitude of 12° 35' 45" North which enclosed the Bight of Thailand as internal waters. The line measures 59.15 nautical miles in length.

The 1970 decree established three distinct systems of straight baselines: 1) the Northeast Gulf of Siam; 2) the Western Gulf of Siam; and 3) Western Peninsular Thailand. The Area No. 1 System contains seven segments which total 66.0 nautical miles. The longest is 19.65 nautical miles while the shortest measures 3.30 nautical miles. The average length of a segment is 9.43 n.m. The islands, masking over three-quarters of the mainland coast, could be considered screening although the land/water relationship is comparatively high, 1:5.

Area 2 contains 15 segments which total 126.05 nautical miles. The longest segment is 33.75 nautical miles while the shortest measures 1.20 nautical miles. The average length of a segment is 8.40 nautical miles. The system encloses two distinct insular areas. North and west of point No. 9, the islands are small and scattered; the land/water ratio would be judged excessively

high. South of No. 9, the islands are larger, more closely grouped and, with a similar chain situated to the west, could be considered as fringing islands.

Area No. 3 contains 23 segments which total 156.10 nautical miles in length. The longest segment measures 16.3 nautical miles while the shortest is 0.7 nautical miles. The average segment length equals 6.80 nautical miles. The system encloses a large number of scattered islands which are situated relatively close to the mainland. Because of the significant number of excluded islands, seaward of the straight baseline system, the straight baselines do not extend the territorial sea appreciably. In fact, nearly 2/3 of the segments of the system do not affect the seaward limit of the territorial sea.

c. MARITIME BOUNDARIES

INDONESIA-MALAYSIA-THAILAND MARITIME BOUNDARY

The following is an analysis concerning an agreement between the governments of Indonesia, Malaysia and Thailand for a partial delimitation of their common maritime boundary, signed on 17 December 1971, and entered into force on 16 July 1973, as set forth in Limits in the Seas, no. 81, "Maritime Boundaries: Indonesia-Malaysia-Thailand."

The "Common Point" of the three maritime boundaries, situated at 5 57.0'N. and 98 01.5'E., has not been determined on the basis of equidistance because it is situated, in relation to the respective baselines, as follows:

<u>Name of Basepoint</u>	<u>State</u>	<u>Dist. in NM</u>
Cape Jambu Ayer	Indonesia	52.0
P. Langkawi	Malaysia	98.9
Ko Butang	Thailand	76.1

(a) Indonesia-Thailand Maritime Boundary.

The Indonesia-Thailand maritime boundary measures from the Common Point to the two turning points as follows:

<u>Turning Points</u>	<u>Dist. in N.M.</u>
CP 05° 57.0'N No. 1. 06° 21.8'N 98° 01.5'E 97° 54.0'E	59.35
No. 1 No. 2 07° 05.8'N 96° 36.5'E	88.67
Total:	148.02

Since the Common Point is not situated equidistant from the three baselines, the line CP-point 1 cannot by definition be an equidistant line. Nevertheless, point 1 has been determined to be equidistant between two points, one on each of the respective national baselines.

<u>Point</u>	<u>Thai Basepoint</u>	<u>Dist. (nm)</u>	<u>Indonesian Basepoint</u>	<u>Dist. (nm)</u>
1	S. Brothers I.	70.04	Jambu Ayer	70.25

The same relative situation prevails for the line between points 1 and 2. The latter point is equidistant from the nearest points on the respective national baselines, although the intervening line, 1-2, is not equidistant from the respective baselines. The line is closer to Thailand than to the Indonesian baseline.

<u>Point</u>	<u>Thai Basepoint</u>	<u>Dist. (nm)</u>	<u>Indonesian Basepoint</u>	<u>Dist. (nm)</u>
2	S. Brothers I. Pulo Weh	103.8 104.5	Pedir Pt.	104.1

The boundary from CP to point 2 is not a true equidistant boundary; it appears to have been negotiated on equitable principles using a selective equidistant line.

(b) Malaysia-Thailand Maritime Boundary.

The agreement describes the boundary in the Straits of Malacca, but does not relate to a maritime limit between the states in the Gulf of Thailand.

The distance between the turning points are as follows:

<u>Turning Points</u>			<u>Dist. in N.M.</u>	
CP 05° 57.0'N	No. 1 06° 18.0'N		68.23	
98° 01.5'E	99° 06.7'E			
No.1	No. 2 06° 16.3'N		12.66	
	99° 19.3'E			
No. 2	No. 3 06° 18.4'N		8.43	
	Total		89.32	
<u>Point</u>	<u>Thai Basepoint</u>	<u>Dist. (nm)</u>	<u>Malaysian Basepoint</u>	<u>Dist. (nm)</u>
CP	Ko Butang 06° 31.9'N 99° 09.5'E	76.11	Langkawi I. 06° 23.3'N 99° 37.2'E	98.88
1	Observatory I. 06° 29.7'N 99° 10.9'E	12.37	Langkawi I. 06° 23.3'N 99° 37.2'E	30.82
2	Nipis I. 06° 28.8'N 99° 18.6'E	12.46	Langkawi I. 06° 23.3'N 99° 37.2'E	19.14
3	Pin I. 06° 29.0'N 99° 22.0'E	10.82	Langkawi I. 06° 23.3'N 99° 37.2'E	11.89

The negotiated maritime boundary lies, at all four points, closer to the Thai baseline than to the Malaysian. The Thai islands, all in the Butang Group, are all smaller than the Malaysian island, P. Langkawi. No consistent ratio of distance between turning points and the nearest points on the respective baselines could be determined. Consequently, it is assumed that the boundary was negotiated on the basis of equitable principles.

MARITIME BOUNDARY: BURMA-THAILAND

The following excerpts from an agreement between the governments of the Socialist Republic of the Union of Burma and the Kingdom of Thailand are extracted from Limits in the Seas, No. 102, "Maritime Boundary: Burma-Thailand," January 30, 1985:

Article 1

1. The maritime boundary between Burma and Thailand in the Andaman Sea is an equidistance line formed by a series of straight lines connecting the nine points specified hereunder in the sequence so specified:

Point No.	Latitude	Longitude
1	09° 32'15"	97° 56'20"
2	09° 34'29"	97° 52'10"
3	09° 34'54"	97° 51'12"
4	09° 35'39"	97° 45'29"
5	09° 36'02"	97° 43'29"

6	09° 37'24"	97° 37'36"
7	09° 40'35"	97° 26'36"
8	09° 45'30"	96° 29'35"
9	09° 38'00"	95° 35'25"

2. That segment of the maritime boundary specified in paragraph 1 of this Article extending from Point No. 1 through Points Nos. 2, 3, and 4 to Point No. 5 shall constitute the boundary between the territorial sea of Burma and the territorial sea of Thailand.

3. That segment of the maritime boundary specified in paragraph 1 of the Article extending from Point No. 5 through Points Nos. 6, 7, and 8 to Point No. 9 shall constitute the boundary between the continental shelf of the Burma and the continental shelf of the Thailand and, in the event that Thailand establishes her exclusive economic zone, this same line shall also constitute the boundary between the exclusive economic zone of Burma and the exclusive economic zone of Thailand.

...

Article 2

1. The geographical coordinates of Points Nos. 1 to 6 specified in Article 1 are derived from the 1948 edition of British Admiralty Chart No. 3052, re-published in 1975, and those of Points Nos. 7 to 9 from the 1975 edition of British Admiralty Chart No. 830 published on 3rd January 1975. The lines connecting the said points are indicated on British Admiralty Chart No. 830, published on 3rd January 1975, attached as an Annex to this Agreement.

2. The actual location of these points at sea and of the lines connecting them shall be determined by a method to be mutually agreed upon by the hydrographic experts authorized for this purpose by the two Governments.

(b) ANALYSIS.

The following chart regarding the agreement between the governments of the Socialist Republic of the Union of Burma and the Kingdom of Thailand is extracted from Limits in the Seas, No. 102, "Maritime Boundary: Burma-Thailand," January 30, 1985:

<u>Turn/Term.</u> <u>Pt.</u>	Dist. btwn. Bound.Pts. (nm)	Nearest Burmese Territory	Dist. Land To Bound. Pt. (nm)	Nearest Thai Territory
1	4.7	Murray Island	4.0 4.0	Stork Island
2	1.0	Murray Island/ Christie Island	6.1 6.2	46 Ft. Island
3	5.7	Christie Island/ Haycock Island	6.7 6.8	46 Ft. Island
4	2.0	Haycock Island	10.3 10.0	Ko Surin Nua
5	6.0	Haycock Island	11.9 11.8	Ko Surin Nua
6	11.3	Haycock Island	17.0 17.0	Ko Surin Nua
7	56.5	Western Rocky Island	27.5 27.6	Pachumba Island
8	54.0	South Twin Island	81.5 81.9	Pachumba Island
9		South Twin Island	132.8 133.5	Pachumba Island
Total	141.2			
Mean	17.6			

INDIA-INDONESIA-THAILAND: COMMON TRIJUNCTION POINT

India, Indonesia and Thailand agreed upon a common trijunction point on June 22, 1978, and the agreement came into force March 2, 1979.

The "Common Trijunction Point" of the three bilateral boundaries, situated at 7 47'00"N, 95 31'48"E, is essentially equidistant from India and Indonesia, but not from Thailand; it is approximately 31.5 miles farther from Thailand. The relationship of this trijunction point to the nearest point on the respective coastlines is as follows:

BASEPOINT	STATE	DIST. TO TRIJUNCTION PT. (NM)
Great Nocobar Island (northeast coast)	India	103.9
Pulau Rondo	Indonesia	104.1
Ko Huyong (southernmost island of Mu Ko Similan)	Thailand	132.5